

**REMARKS/ARGUMENTS**

Corrections have been made to paragraph 1 of the Specification. Formal drawings are submitted herewith.

Claim 1 stands rejected under the judicially created doctrine of double patenting over the co-pending patent application Serial Number 09/672, 128. In view of the lack of prosecution of the noted patent application, the current state the co-pending patent application should be as abandoned. Thus, this rejection is now moot.

Claim 1 stands rejected under 35 U.S.C. § 102(e) over Migita, U.S. Patent No. 6,526,106 B1 based on a priority date of May 8, 1997. Notwithstanding the paraphrasing of the Applicant's claim in the citation to Migita, there is a fundamental difference between Migita and the present invention, particularly as now claimed. There is nothing in the present invention which addresses the synchronization of asynchronous circuits, which is the underlying basis of the teachings of the disclosure of Migita.

Notwithstanding, claim 1 has been canceled, and new claims 2-18 have been submitted for examination. Claims 2-4 are method claims reciting techniques for controlling the clock of a synchronous digital system to tolerate operational error. Claim 5 is a system claim to a digital system that tolerates operational errors. Claims 6-11 are method claims reciting techniques to completely avoid operational error. Claims 12-18 describe a system according to the invention with structure that avoids operational error.

It is noted that this invention has numerous advantages over the art. In addition to the advantages mentioned in the specification, it may be noted that the present invention allows data to spend less time in the processing pipeline, that is, the invention reduces latency. In addition, the timing error toleration aspect of the invention reduces the so-called misprediction penalty. As an additional side benefit, digitally switched circuitry operating in an environment in accordance with the invention can operate with reduced peak transient power consumption, counteracting the so-called droop effect. It is submitted that the subject invention represents a patentable advance in the art.

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PATENT

To augment the description of the state of the art, the Applicant has submitted a supplemental Information Disclosure Statement.

**CONCLUSION**

In view of the foregoing, the Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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